

**6208 Burns Street.
Case # C14-04-0012.003**

The following is some background information on the Brentwood-Highland Neighborhood Plan and the 6208 Burns Street rezoning case:

- On March 22, 2003, the first Brentwood-Highland Neighborhood Plan Workshop was conducted. The property at 6208 Burns Street is located within the Highland Neighborhood Planning Area.
- On December 17, 2003 the final Brentwood-Highland Neighborhood Planning process was concluded and recommended a multifamily use designation for 6208 Burns Street.
- On February 24, 2004, the Planning Commission voted to recommend the Brentwood-Highland Neighborhood Plan and rezonings with conditions. The Planning Commission recommended the property at 6208 Burns Street be designated for a multi-family use and rezoned from multifamily residence medium density (MF-3) district zoning to multifamily residence medium density-neighborhood plan (MF-3-NP) combining district zoning on a vote of 6-0.
- On February 24, 2004, the Planning Commission voted to recommend the eastern portion of the property at 6225 North Lamar Blvd. (which is a through lot with street frontage on Burns Street and located immediately to the north of the 6208 Burns Street) be designated as a multi-family use on the Future Land Use Map and rezoned from family residence SF-3 district zoning (along Burns St.) to multifamily residence moderate-high density-neighborhood plan (MF-4-NP) combining district zoning. The western portion of the property at 6225 North Lamar Blvd. was already zoned general commercial services (CS) district zoning.
- At the March 4, 2004 City Council meeting, the City Council approved the Brentwood-Highland Neighborhood Plan and rezonings on first ordinance reading. The property at 6208 Burns Street was designated at first reading on the Future Land Use Map for a multifamily use and rezoned to a multifamily residence medium density-neighborhood plan (MF-3-NP) combining district. The property owner did not appear at the public hearings to protest against the proposed neighborhood plan designation or rezoning.

- At the March 4, 2004 City Council meeting, the City Council approved the Brentwood-Highland Neighborhood Plan and rezonings on first ordinance reading. The eastern portion of the property at 6225 Lamar Blvd was designated at first reading on the Future Land Use Map for a multifamily use and rezoned to a multifamily residence moderate high density-neighborhood plan (MF-4-NP) combining district. The property owner did not appear at the public hearings to protest against the proposed neighborhood plan designation or rezoning.
- At the April 15, 2004 City Council meeting, the City Council approved the Brentwood-Highland Neighborhood Plan and rezonings on second ordinance reading. At second reading the property owner of 6225 Lamar Blvd. and 6208 Burns Street came forward and expressed a desire to have the eastern portion of 6225 Lamar Blvd. and 6208 Burns Street be rezoned to a community commercial (GR) district in order to allow the future expansion of his blind and drapery business. Council approved the property owner's request to designate both 6225 Lamar Blvd. and 6208 Burns Street as Mixed Use on the Future Land Use Map and rezoned 6225 Lamar Blvd. to community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district. However, the property at 6208 Burns Street was not noticed for a base zoning district change to a commercial district and would require additional notice prior to council consideration.
- At the May 13, 2004 City Council meeting, the City Council approved the Brentwood-Highland Neighborhood Plan and rezonings on third ordinance reading. At third reading the property owner again came forward and expressed a desire to have the eastern portion of 6225 Lamar Blvd. and 6208 Burns Street be rezoned to a community commercial (GR) district in order to allow the future expansion of his blind and drapery business. Council approved the property owner's request to designate both 6225 Lamar Blvd. and 6208 Burns Street as Mixed Use on the Future Land Use Map and rezoned the property at 6226 Lamar Blvd. to a community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district. The Council also directed Staff to initiate a rezoning application for GR-MU-CO-NP district zoning for the property at 6208 Burns Street.
- On June 4, 2004, the Staff initiated the GR-MU-CO-NP zoning case for the property located at 6208 Burns Street. Staff recommended the rezoning request in accordance with the adopted neighborhood plan.
- On August 10, 2004, the Planning Commission recommended the Staff recommendation for GR-MU-CO-NP zoning with the agreement to prohibit the following uses: automotive rental, automotive repair, automotive sales, automotive washing, commercial off-street parking, drop-off recycling collection facility, exterminating services, off-site accessory parking, outdoor sports and recreations, outdoor entertainment, pawn shop services, plant nursery, service station, and drive-in services as an accessory use on a 5-3 vote.

- On November 4, 2004, the City Council approved on first ordinance reading the Planning Commission recommendation of GR-MU-CO-NP zoning with: 1) the agreement to prohibit the following additional uses: restaurant (general), restaurant (limited), indoor sports and recreation, indoor entertainment, research services, 2) the restriction to limit vehicle access to Burns Street via a (single) emergency access driveway (for fire, E.M.S. and other emergency service access only) from the adjoining property to the north property owned by the applicant (direct vehicle access to and from the property being rezoning would be prohibited); 3) the requirement to provide a five foot landscaped berm (along the eastern property line of the property being rezoned and the GR-MU-CO-NP property to the north); 4) the requirement to a install fence five feet west and parallel to the Burns Street right-of-way, with the understanding the that the limited access, landscape berm and fence would be installed at such time as redevelopment of the property occurs. Vote: 7-0
- On May 26, 2005, the City Council approved second ordinance reading of the Planning Commission's recommendation of GR-MU-CO-NP zoning with: 1) the agreement to prohibit these additional uses: restaurant (general), restaurant (limited), indoor sports and recreation, indoor entertainment, research services, 2) the restriction to limit vehicle access to Burns Street via a (single) emergency access driveway (for fire, E.M.S. and other emergency service access only) from the adjoining property to the north property owned by the applicant (direct vehicle access to and from the property being rezoning would be prohibited); 3) the requirement to provide a five foot landscaped berm along the eastern property line of the property being rezoned and the GR-MU-CO-NP property to the north; and 4) the requirement to a install (solid) fence five feet west and parallel to the Burns Street right-of-way, with the understanding the that the limited access, landscape berm and fence would be installed at such time as redevelopment of the property occurs. (In addition, the City Council requested Staff to invite the neighborhood people to be in attendance at the next Council meeting.) Vote: 7-0.
- At this time the adjacent property owners within 200 feet have filed a valid petition of 24.47% in opposition to this rezoning request that would be require $\frac{3}{4}$ (6) of council votes to grant the zoning over the adjacent property owner's objections.